

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 2ND NOVEMBER 2006 / 11TH KARTHIKA 1928

WP(C).No. 1277 of 2004(B)

PETITIONER:

BAIJU.J, KUTTIYIL VEEDU,
S/O.JALALUDEEN KUNJU,
VENGARA, THODIYOOR (N) P.O.,
KARUNAGAPALLY, KOLLAM.

BY ADV. SRI.M.P.MUHAMMAD FAZIL
SRI.A.MOHAMED MUSTAQUE

RESPONDENTS:

1. THE ADDITIONAL DISTRICT EXECUTIVE
OFFICER, KERALA MOTOR TRANSPORT WORKERS
WELFARE FUND BOARD, KOLLAM.
2. THE DEPUTY TAHSILDAR, (RR),
KARUNAGAPALLY.
3. THE COMMISSIONER AND SECRETARY,
LABOUR DEPARTMENT, SECRETRIATE,
TRIVANDRUM.

R1 BY ADV. SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD
R2 AND R3 BY G.P. SRI. S. DILEEP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE ORDER ISSUED BY THE FIRST RESPONDENT DATED 16.10.2001

EXT.P2 TRUE COPY OF THE SALE AGREEMENT DATED 27.11.2000

EXT.P3 TRUE COPY OF THE DEMAND NOTICE NO. 8-19672/02 ISSUED BY THE 2ND
RESPONDENT DATED 2.12.2002

EXT.P4 TRUE COPY OF THE APPEAL SUBMITTED BY THE PETITIONER BEFORE THE THIRD
RESPONDENT DATED 28.4.2003

EXT.P5 TRUE COPY OF THE DELAY CONDONATION PETITION DATED 28.4.2003 DO.DO

EXT.P6 TRUE COPY OF THE RECEIPT ISSUED BY THE VILLAGE OFFICER, THODIYOOR
DATED 27.2.2003

EXT.P6(a) TRUE COPY OF THE RECEIPT ISSUED BY THE VILLAGE OFFICER DATED 21.4.2003

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 1277 OF 2004

Dated this the 2nd day of November, 2006

JUDGMENT

W.P. is filed challenging revenue recovery proceedings for recovery of arrears of motor transport workers welfare fund contribution in respect of stage carriage for the period from 1999-2001. Standing counsel for the first respondent submitted that the demand is for three workers and inspite of repeated notices, petitioner did not appear, but the conductor produced wage register based on which contribution was demanded for three employees, one driver, one conductor and the other cleaner. Even though appeal was dismissed for delay, I do not think petitioner can have any grievance against demand which is quite realistic in regard to number of employees and the amount demanded.

W.P. is therefore dismissed.

(C.N.RAMACHANDRAN NAIR)
Judge

